



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/043,795	03/23/98	NAYASHI	H

MM71/0810  
SUGHRUE MION ZINN MACPEAK & SEAS  
2100 PENNSYLVANIA AVENUE N W  
WASHINGTON DC 20037

EXAMINER  
TAMAILR

ART UNIT 2834	PAPER NUMBER
------------------	--------------

DATE MAILED: 08/13/98 10

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

**Notification of Non-Compliance with  
37 CFR 1.192(c)**

Application No.  
**09/045,799**

Applicant(s)

**Hayashi et al.**

Examiner

**Karl Tamai**

Group Art Unit  
**2834**



The Appeal Brief filed on Jun 2, 1999 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

Applicant is given a TIME LIMIT of ONE MONTH from the date of this letter or any time remaining in the period under 37 CFR 1.192(a) for filing a new complete brief. If a new brief that fully complies with 37 CFR 1.192(c) is not timely submitted, the appeal will be dismissed as of the expiration of the period provided by 37 CFR 1.192(a). No extension of this one month time limit may be obtained under either 37 CFR 1.136(a) or (b) but the original two-month period under 37 CFR 1.192(a) for filing the brief may be extended under 37 CFR 1.136(a) up to six months from the date of the Notice of Appeal. The new complete brief must be filed IN TRIPLICATE. See 37 CFR 1.192(a).

1. ☐ The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims. 37 CFR 1.192(c)(3).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment. 37 CFR 1.192(c)(4).
4. ☐ The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters. 37 CFR 1.192(c)(5).
5. ☐ The brief does not contain a concise statement of the issues presented for review. 37 CFR 1.192(c)(6).
6. ☐ A single ground of rejection has been applied to two or more claims in this application, and
  - a. ☐ the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
  - b. ☐ the brief includes the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7. ☐ The brief does not present an argument under a separate heading for each issue on appeal. 37 CFR 1.192(c)(8).
8. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto. 37 CFR 1.192(c)(9).
9. ☒ Other (including any explanation in support of the above items):

*The brief contains an amendment cancelling claims 15-20. MPEP 1207 requires new amendments to be submitted in a separate paper from the appeal brief.*

  
**NESTOR RAMIREZ**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800